

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KEVIN B. HARRIS,

Plaintiff,

vs.

ALBERTSONS,

Defendant.

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8:04cv192

MEMORANDUM AND ORDER

In an Order to Show Cause, the court gave the plaintiff a deadline to notify the court whether he intends to proceed with this litigation or whether, on the contrary, the case has been abandoned (as the records of the court suggest). The plaintiff was warned in the Order to Show Cause that, in the absence of a timely and sufficient response to the Order to Show Cause, this case could be subject without further notice, to dismissal without prejudice.

There has been no response by the plaintiff, and the deadline has expired. Therefore, pursuant to NECivR 41.1¹, the plaintiffs' complaint and the above-entitled action are dismissed without prejudice. A separate judgment will be entered accordingly.

SO ORDERED.

DATED this 15th day of June, 2005.

BY THE COURT:

/s Richard G. Kopf
United States District Judge

¹NECivR 41.1 states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."